

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION
No. 7:19-CV-141-BR

GARY SWANSON,

Plaintiff,

v.

SID SMITH,

Defendants.

ORDER

This matter is before the court on Magistrate Judge Robert T. Numbers' Memorandum and Recommendation ("M&R") recommending the dismissal of plaintiff's complaint for failure to state a claim and for failure to comply with a court order. (DE # 6.) Plaintiff did not file an objection thereto.

"The Court is not required to review, under a de novo or any other standard, the factual or legal conclusion of the magistrate judge to which no objections have been raised." Clark v. Harrah's NC Casino Co., LLC, No. 1:17-CV-00240-MR-DLH, 2018 WL 4664136, at *1 (W.D.N.C. Sept. 28, 2018) (citing Thomas v. Arn, 474 U.S. 140, 150 (1985) ("There is no indication that Congress, in enacting § 636(b)(1)(C), intended to require a district judge to review a magistrate's report to which no objections are filed.")). Accordingly, the court ADOPTS the M&R as its own. Plaintiff's complaint is DISMISSED WITHOUT PREJUDICE. The Clerk is DIRECTED to close the case.

This 4 November 2019.



W. Earl Britt
Senior U.S. District Judge